

DISTRICT OF COLUMBIA RENTAL HOUSING COMMISSION

RH-TP-06-28,801

In re: 3636 16th Street, N.W., Unit A-1161

Ward One (1)

NELL LANEY
Tenant/Appellant

v.

THE WOODNER APARTMENTS
Housing Provider/Appellee

**ORDER ON MOTION TO WITHDRAW
AND SUBSTITUTE COUNSEL**

June 24, 2008

YOUNG, CHAIRPERSON. This matter is before the Rental Housing Commission (Commission) pursuant to a notice of appeal filed by the tenant in the above-referenced action. The applicable provisions of the Rental Housing Act of 1985 (Act), D.C. Law 6-10, D.C. OFFICIAL CODE §§ 42-3501.01-3509.07 (2001), the District of Columbia Administrative Procedure Act (DCAPA), D.C. OFFICIAL CODE §§ 2-501-510 (2001), and the District of Columbia Municipal Regulations (DCMR), 14DCMR §§ 3800-4399 (2004), govern the proceedings.

I. PROCEDURAL BACKGROUND

On June 12, 2008, Ann Marie Y. Hay, Counsel for appellant, Nell Laney, filed the captioned Motion for Leave to Withdraw and for Substitute Counsel, pursuant to 14 DCMR § 3813 (2004). The Motion states that Ms. Hay is withdrawing as supervising counsel, personally, but not on behalf of the D.C. Law Students in Court Program which will continue to represent the tenant.

The motion further states that Joanna C. Day, Esquire will be the successor supervising attorney with the D.C. Law Students in Court Program. Ms. Day will be handling the captioned matter. Ms. Hay states that attempts to contact the appellant regarding this change have been unsuccessful.

II. THE COMMISSION ORDER

The Commission's rule, 14 DCMR § 3813.1-3 (2004), on the withdrawal of counsel states:

If an attorney or other person representing a party wishes to withdraw from a case pending before the Commission, a written motion for application to withdraw shall be filed.

14 DCMR § 3813.1(2004).

The motion shall state whether the party consents to or opposes the motion and whether the party will be unrepresented or will have substitute representation. A copy of the motion shall be served on the party and the party advised that he or she has the right to oppose the motion.

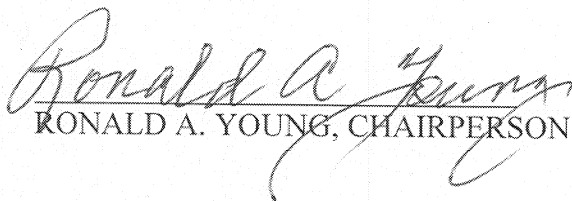
14 DCMR § 3813.2 (2004).

The motion shall state the specific reasons for withdrawal and shall state whether the absence of representation will prejudice the rights of the party.

14 DCMR § 3813.3 (2004).

In this case Attorney Hay properly filed the motion requesting to withdraw. Moreover, since new counsel simultaneously substituted her appearance, there will be no prejudice due to the withdrawal of the appearance of Attorney Hay. Accordingly, the motion is GRANTED.

SO ORDERED.


RONALD A. YOUNG, CHAIRPERSON

CERTIFICATE OF SERVICE

I certify that a copy of the **ORDER ON MOTION TO WITHDRAW
AND SUBSTITUTE COUNSEL** in RH-TP-06-28,801 was served by priority mail, with delivery confirmation, postage prepaid, this **24th** day of **June, 2008**, to:

Ann Marie Hay, Esquire
D.C. Law Students in Court
806 7th Street, N.W.
Suite 300
Washington, D.C. 20001

Roger Luchs, Esquire
Greenstein DeLorme & Luchs
1620 L Street, N.W.
Suite 900
Washington, D.C. 20036-5605

Nell Laney
3636 16th Street, N.W.
Unit A-1161
Washington, D.C. 20010



LaTonya Miles
Contact Representative
(202) 442-8949